

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MISURI ASSOCIATES, legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 255.2 (243.2) to permit a side yard setback of 30' and a rear yard setback of 45' both in lieu of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

50 foot setback causes extensive practical difficulty in materials handling. We request 30 foot side yard setback as in standard ML zoning (ML property line abutting ML property) Area increase with proximity to truck dock staging area resulting from 30 foot setback will avoid unnecessary double handling of materials, shorten loading runs and permit efficient temporary storage of materials, thereby minimizing handling costs. Added handling cost will prove to be a severe hardship in our highly competitive business.

And other reasons to be discussed at the time of the scheduled hearing

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Arthur F. Dellheim, Partner, MISURI ASSOCIATES, Legal Owner
Address: 4530 Annapolis Road, Baltimore, MD 21227
Address: 4530 Annapolis Road, Baltimore, MD 21227
Petitioner's Attorney, Protestant's Attorney

BY ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of August, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 29th day of October, 1979, at 2:45 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner, Date: September 20, 1979
John D. Seyffert, Director, Office of Planning and Zoning

SUBJECT: Petition #80-99A, Item 42 Petition for Variance for side and rear yard setbacks Southwest corner of Annapolis Road and Baltimore Harbor Tunnel Road
Petitioner - Misuri Associates

13th District

HEARING: Thursday, October 9, 1979 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition. If granted, it is requested that details of landscaping be submitted to the Division of Current Planning and Development for their approval.

John D. Seyffert, Director, Office of Planning and Zoning

JDS:JGH:rw

LIMITED PARTNERSHIP AGREEMENT
OF
MISURI ASSOCIATES

THIS LIMITED PARTNERSHIP AGREEMENT, is made, entered into and effective as of the 19th day of September, 1972, by and between ARTHUR F. DELLHEIM (hereinafter referred to as the "General Partner") and those persons signatory hereto as Limited Partners (hereinafter referred to as "Limited Partners").

EXPLANATORY STATEMENT

The parties hereto desire to acquire a tract of land in Grant County, West Virginia, and to develop and hold the same for income producing purposes, as well as to make other investments from time to time. In order to accomplish their aforesaid desire, the parties hereto wish to join together in a Limited Partnership under and pursuant to the provisions of Article 73 of the Maryland Annotated Code (1957 edition) as amended from time to time.

NOW, THEREFORE, in consideration of the mutual promises of the parties hereto, each to the others, and of other good and valuable considerations, receipt of which is hereby acknowledged, it is mutually agreed by and between the parties hereto as follows:

1. Name. The name of this limited partnership shall be "Misuri Associates Limited Partnership".
2. Definitions. Throughout this Agreement, the word or words listed below within quotation marks shall be deemed to include the words which follow them:

A. "Agreement" - This Limited Partnership Agreement.
B. "General Partner" - The General Partner originally named in this Agreement and any other person or persons who may subsequently be designated as General Partner pursuant to the further terms of this Agreement.

C. "Limited Partners" - Those persons signatory hereto as Limited Partners.

Social Security No.: 216-56-8040
Initial Capital: \$5,000.00
Partnership Interest: 20%

STATE OF MARYLAND: CITY OF BALTIMORE: TO WIT:

I HEREBY CERTIFY that before me, the subscriber, a Notary Public in and for the State aforesaid, personally appeared ARTHUR F. DELLHEIM, who acknowledged the foregoing Agreement to be his act and deed as the General Partner.

WITNESS my hand and Notarial Seal this 27th day of September, 1972.

Doti Claire Liberles, NOTARY PUBLIC

STATE OF MARYLAND: CITY OF BALTIMORE: TO WIT:

I HEREBY CERTIFY that before me, the subscriber, a Notary Public in and for the State aforesaid, personally appeared ISADORA S. DELLHEIM, who acknowledged the foregoing Agreement to be her act and deed as a Limited Partner.

WITNESS my hand and Notarial Seal this 27th day of September, 1972.

Doti Claire Liberles, NOTARY PUBLIC

STATE OF MARYLAND: CITY OF BALTIMORE: TO WIT:

I HEREBY CERTIFY that before me, the subscriber, a Notary Public in and for the State aforesaid, personally appeared M. PETER MOSER, Custodian for Susan L. Dellheim, Michael E. Dellheim and Richard A. Dellheim under the Maryland Uniform Gifts to Minors Act, who acknowledged the foregoing Agreement to be his act and deed as a Limited Partner.

WITNESS my hand and Notarial Seal this 27th day of September, 1972.

Doti Claire Liberles, NOTARY PUBLIC

DOTI CLAIRE LIBERLES, Notary Public, Baltimore City, Md., Commission Expires 2-1-74

which shall require performance by each of the parties hereto, or one or more or all of them, in accordance with the provisions of this Agreement.

23. Governing Law. This Agreement is being executed in the State of Maryland and shall be construed by, and in accordance with, the laws of the State of Maryland; and shall be binding upon, and inure to the benefit of, all parties hereto, their successors, personal representatives, distributees, heirs and legatees, and their transferees to the extent, but only to the extent, that same is provided for in accordance with, and permitted by, the provisions of this Agreement.

24. Miscellaneous Provisions. A. No partner shall be liable to any other partners or to the Partnership by reason of the actions of such partner in connection with the Partnership, unless otherwise so provided in this Agreement, except in the case of actual fraud, gross negligence or dishonest conduct.

B. Nothing herein contained shall be construed to constitute any partner the agent of another partner, except as specifically provided herein, or in any manner to limit the partners in the carrying on of their own respective businesses or activities.

C. Any controversy or claim arising out of or relating to this Agreement or a breach hereof shall, upon the request of any party involved, be settled by arbitration in Baltimore City pursuant to the Maryland Uniform Arbitration Act in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered may be entered in the highest court of any forum, state or federal, having jurisdiction.

D. This Agreement may be executed in counterparts, all of which taken together shall constitute a single agreement.

E. Feminine, masculine or neuter pronouns shall be substituted for those used herein, and the plural shall be substituted for the singular number, and vice-versa, in any place or places herein in which the context may require such substitution or substitutions.

IN WITNESS WHEREOF the parties hereto have executed this

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Agreement as of the day and year first above written.

WITNESS: GENERAL PARTNER

Arthur F. Dellheim, ARTHUR F. DELLHEIM, Caveswood Lane, Owings Mills, Maryland 21117
Social Security No.: 217-20-508
Initial Capital: \$5,000.00
Partnership Interest: 20%

LIMITED PARTNERS

Isadora S. Dellheim, ISADORA S. DELLHEIM, Caveswood Lane, Owings Mills, Maryland 21117
Social Security No.: 212-28-7150
Initial Capital: \$5,000.00
Partnership Interest: 20%

M. Peter Moser, M. PETER MOSER, Custodian for Susan L. Dellheim under the Maryland Uniform Gift to Minors Act 1300 Mercantile Bank & Trust Bldg. 2 Hopkins Plaza, Baltimore, Maryland 21201
Social Security No.: 216-56-8051
Initial Capital: \$5,000.00
Partnership Interest: 20%

M. Peter Moser, M. PETER MOSER, Custodian for Michael E. Dellheim under the Maryland Uniform Gift to Minors Act 1300 Mercantile Bank & Trust Bldg. 2 Hopkins Plaza, Baltimore, Maryland 21201
Social Security No.: 216-56-8023
Initial Capital: \$5,000.00
Partnership Interest: 20%

M. Peter Moser, M. PETER MOSER, Custodian for Richard A. Dellheim under the Maryland Uniform Gift to Minors Act 1300 Mercantile Bank & Trust Bldg. 2 Hopkins Plaza, Baltimore, Maryland 21201

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Commissioner William Hammond, ZONING COMMISSIONER OFFICE, Mail Stop 1109, Baltimore County Office Building, 111 W. Chesapeake Avenue, Towson, MD 21204
Dear Mr. Hammond:
Misuri Associates has filed a zoning appeal on August 7, 1979, with Mr. A. Swam of the zoning office. Mr. Swam indicated to us that the hearing for the zoning exception will not take place until October.

The case involves the addition of approximately 23,000 square feet of warehousing space for Adell Plastics on Annapolis Road on property adjacent to the Harbor Tunnel road.

The building plans and plot plan were originally filed with Planning and Zoning on April 15, 1979. On May 22, 1979, we were informed by the Planning Department that the permit had been held up because the corner of the proposed building was only 30 feet from the property line instead of the required 50 feet.

On June 5, 1979, new plans were submitted showing a building approximately 15% smaller than the original, but within the county codes on setbacks. A building permit based on the revised plans was issued on July 3, 1979. Construction is now underway and alternate footings have been poured. Building, however, cannot proceed beyond this point until the hearing is held and consideration is given to an exception on the setback rule.

The new space is urgently needed, and we respectfully ask for your help in setting the hearing date as soon as possible. While we recognize that the delays from April until August were mainly due to our lack of understanding of the procedure at the county, we hope that you will have some understanding in this matter and that you will help Adell Plastics obtain its warehouse as soon as possible.

Very truly yours, Arthur F. Dellheim

AFD/gh
cc: Mr. A. Swam, Mr. Norbert Vasil, Industrial Development

DESCRIPTION OF PROPERTY CONVEYED BY THE MARTIN WHITE COMPANY AND BY THE GEN. Y CORP TO SUMICH, INC.

August 2, 1979

BEGINNING for the same at the intersection of the south right of way line of the Baltimore Harbor Tunnel Road with the west side of Annapolis Road (50 feet wide) and running thence, binding on said west side of Annapolis Road, south 05 degrees 30 minutes east 659.4 feet to the north side of a right of way, thence binding thereon, north 87 degrees 09 minutes 50 seconds west 49.12 feet to the northeast side of a right of way, 30 feet wide, thence binding thereon, north 45 degrees 54 minutes 40 seconds west 535.55 feet and north 60 degrees 43 minutes 17 seconds west 28.35 feet to intersect the north 05 degrees 30 minutes west 401.59 foot line of the land conveyed by Deed dated October 29, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3026, folio 627, from B & S Norfen Company to The Martin White Company and running thence, binding on a part of said line, north 05 degrees 30 minutes west 36.92 feet to intersect the north 64 degrees 30 minutes east 30.00 foot line of the land conveyed by deed dated April 29, 1969 and recorded among the land records of Baltimore County in Liber OIG No. 4998 - folio 164, from the Gannett Corp. to Sumich, Inc. at its point of beginning thence leaving said point of beginning and running and binding the following four courses: 1) north 84 degrees 30 minutes east 30.00 feet 2) north 05 degrees 30 minutes west 271.00 feet 3) south 84 degrees 30 minutes west 30.00 feet 4) north 05 degrees 30 minutes west 57.14 feet to intersect the south right of way line of the Baltimore Harbor Tunnel Road, thence binding thereon, south 77 degrees 16 minutes east 441.59 feet to the place of beginning. Containing 5.32 acres of land, more or less.

JAN 10 1980

ORDER RECEIVED FOR FILING
DATE October 11, 1979
BY William E. Hammond

Pursuant to the advertisement, posting of property, and public hearing on the Petition, and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variances requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of October, 1979, that the herein Petition for Variances to permit side and rear yard setbacks of thirty feet and forty-five feet, respectively, both in lieu of the required fifty feet, for the expressed purpose of constructing an addition to the existing improvements, should be and the same is GRANTED, from and after the date of this Order, subject to a revised site plan, correcting the discrepancy between the rear property line as indicated on the site plan filed with this Petition and the plat filed with the application for a building permit, being submitted and approved by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

William E. Hammond
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
SW corner of Annapolis Rd. and
Baltimore Harbor Tunnel Rd., 13th
District : OF BALTIMORE COUNTY

MISURI ASSOCIATES, Petitioners : Case No. 80-99-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
John W. Hessian, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of September, 1979, a copy of the foregoing Order was mailed to Mr. Arthur F. Dellheim, Partner, Misuri Associates, 4530 Annapolis Road, Baltimore, Maryland 21227, Petitioners.

John W. Hessian, III
John W. Hessian, III



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

October 11, 1979

Mr. Arthur F. Dellheim
Misuri Associates
4530 Annapolis Road
Baltimore, Maryland 21227

RE: Petition for Variances
SW corner of Annapolis Road and
Baltimore Harbor Tunnel Road -
13th Election District
Misuri Associates - Petitioner
NO. 80-99-A (Item No. 42)

Dear Mr. Dellheim:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

Adell Plastics, Inc.
4530 Annapolis Road
Baltimore, Maryland 21227

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Misuri Associates
4530 Annapolis Road
Baltimore, Maryland 21227

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 21st day of August, 1979.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Misuri Associates, et al

Petitioner's Attorney _____ Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

080
Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Misuri Associates
4530 Annapolis Road
Baltimore, Maryland 21227

RE: Item No. 42
Petitioners - Misuri Associates
Variance Petition

Attention: Mr. Arthur F. Dellheim

Dear Mr. Dellheim:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This Variance Petition originated as a result of your proposal to construct an addition to the side of the existing building within 30 feet of this northerly property line in lieu of the required 50 feet. A building permit has been issued for a portion of this proposed addition, and the remainder of said addition will be constructed if this Variance is granted.

At the time of application for the necessary building permits, the property line along the west side, adjacent to the existing trucking facility, was indicated as being different from that shown on the site plans submitted with this petition. After conversation with Mr. Katz of your organization, it was decided that a Variance to permit a rear setback for the proposed structure within 45 feet of this rear property line in lieu of the required 50 feet would also be requested. I also spoke to your engineer concerning this matter, and it was decided revised site plans, indicating this latter setback request, would be submitted prior to the scheduled hearing.

Particular attention should be afforded to the comments of the Department of Permits and Licenses.

Item No. 42
Variance Petition
October 4, 1979

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Carroll Engineering Inc.
1800 North Charles St.
Baltimore, Md. 21201



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

THORNTON M. MOURING
DIRECTOR

November 15, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #42 (1979-1980)
Property Owner: Misuri Associates
S/W cor. Annapolis Rd. and Balto. Harbor Tunnel Rd.
Existing Zoning: M.L.
Proposed Zoning: Variance to permit a side setback of 30' in lieu of the required 50'.
Acres: 5.32 District: 13th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 42 (1979-1980).

Very truly yours,

Ellsworth N. Dwyer, P.E.
ELLSWORTH N. DWYER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss
C-NE Key Sheet
25 SW 5 & 6 Pos. Sheets
SW 7 B Topo
109 Max Map

JAN 30 1980

August 27, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Re: Z.A.C. Meeting, Aug. 21, 1979
ITEM: 42.
Property Owner: Misuri Associates
Location: SW/C Annapolis Rd.
(Route 648) & Balto. Harbor Tunnel Rd.
Existing Zoning: M.L.
Proposed Zoning: Variance to permit a side setback of 30' in lieu of the required 50'.
Acres: 5.32
District: 13th

Attention: Mr. N. Commodari

Dear Mr. Hammond:

The plan indicates proposed entrance channelization that is acceptable to the State Highway Administration.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:JEM:vrd

John E. Meyers
By: John E. Meyers

My telephone number is (301)383-4320

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

September 21, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #42, Zoning Advisory Committee Meeting, August 21, 1979, are as follows:

Property Owner: Misuri Associates
Location: SW/C Annapolis Road & Balto. Harbor Tunnel Rd.
Existing Zoning: M.L.
Proposed Zoning: Variance to permit a side setback of 30' in lieu of the required 50'
Acres: 5.32
District: 13th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The rear property line as shown on the site plan for the petition is different from the previously approved plan for a building permit. This should be clarified before the time of the hearing.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

September 24, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 42 - ZAC - Meeting of August 21, 1979
Property Owner: Misuri Associates
Location: SW/C Annapolis Rd. & Balto. Harbor Tunnel Rd.
Existing Zoning: M.L.
Proposed Zoning: Variance to permit a side setback of 30 feet in lieu of the required 50'.

Acres: 5.32
District: 13th

Dear Mr. Hammond:

The requested variance to the side setback is not expected to cause any major traffic problems.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineering Associate II

MSF/mjm

Paul H. Reincke
CHIEF

August 28, 1979

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee

Re: Property Owner Misuri Associates

Location: SW/C Annapolis Rd. & Balto. Harbor Tunnel Rd.

Item No. 42 Zoning Agenda: Meeting of 8/21/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code" 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *Robert Joseph Kelly* Noted and Approved: *George M. Wagonet*
Planning Group
Special Inspection Division
Fire Prevention Bureau

September 5, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 42 Zoning Advisory Committee Meeting, August 21, 1979 are as follows:

Property Owner: Misuri Associates
Location: SW/C Annapolis Road & Baltimore Harbor Tunnel Road
Existing Zoning: M.L.
Proposed Zoning: Variance to permit a side setback of 30' in lieu of the required 50'.

Acres: 5.32
District: 13th

The items checked below are applicable:

XA. Structure shall conform to Baltimore County Building Code (B.O.C.B.) 1979 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

XB. A building permit shall be required before construction can begin.

C. Additional _____ Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

I. No Comment.

XJ. Comment: Building shall satisfy height and area requirements of Article 3 of the Building Code.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 17, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: August 21, 1979

RE: Item No: 28, 42, 43, 44, 45, 46, 47, 48
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

NNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. MOTSARIS

THOMAS H. BOYER
MRS. LONRAINE F. CHIRCUSE
ROGER D. HAYDEN
ROBERT Y. DUBEL, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

PETITION FOR VARIANCE
1st District
ZONING: Petition for Variance for side and rear yard setbacks
LOCATION: Southwest Corner of Annapolis Road and Baltimore Harbor Tunnel Road
DATE & TIME: Tuesday, October 9, 1979 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Petition for Variance to permit a side yard setback of 30 feet and a rear yard setback of 45 feet, both in lieu of the required 50 feet.
The Zoning Regulation to be excepted as follows:
Section 255-2 (243.2 & 3) - Area regulations
All that parcel of land in the Thirteenth District of Baltimore County
Beginning for the same at the intersection of the south right of way line of the Baltimore Harbor Tunnel Road with the west side of Annapolis Road (50 feet wide) and running thence, binding on said west side of Annapolis Road, south 05 degrees 30 minutes east 658.4 feet to the north side of a right of way, thence binding thereon, north 27 degrees 08 minutes 50 seconds west 49.11 feet to the northeast side of a right of way, 30 feet wide, thence binding thereon, north 45 degrees 54 minutes 40 seconds west 588.55 feet and north 60 degrees 41 minutes 17 seconds west 23.38 feet to intersect the north 06 degrees 30 minutes west 401.58 foot line of the land conveyed by Deed dated October 28, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3836, folio 627, from B & S Norton Company to The Martin White Company and running thence, binding on a part of said line, north 05 degrees 30 minutes west 36.92 feet to intersect the north 84 degrees 30 minutes east 30.00 foot line of the land conveyed by deed dated April 29, 1969 and recorded among the land records of Baltimore County in Liber OTG No. 4998 folio 184 from the Gemini Corp. to Smith, Inc. at its point of beginning thence leaving said point of beginning and running and binding the following four courses: 1) north 84 degrees 30 minutes east 30.00 feet 2) north 05 degrees 30 minutes west 271.00 feet 3) south 84 degrees 30 minutes west 30.00 feet 4) north 06 degrees 30 minutes west 27.54 feet to intersect the south right of way line of the Baltimore Harbor Tunnel Road, thence binding thereon, south 77 degrees 16 minutes east 441.59 feet to the place of beginning. Containing 8.32 acres of land, more or less.
Being the property of Misuri Associates, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, October 9, 1979 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of:
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Sept. 20.

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 20, 1979.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on each of one time ~~times~~ before the 9th day of October, 1979, the 20th publication appearing on the 20th day of September 1979.

THE JEFFERSONIAN,
S. L. Lank Strickland
Manager.

Cost of Advertisement, \$

PETITION FOR VARIANCE
1st District
ZONING: Petition for Variance for side and rear yard setbacks
LOCATION: Southwest Corner of Annapolis Road and Baltimore Harbor Tunnel Road
DATE & TIME: Tuesday, October 9, 1979 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Petition for Variance to permit a side yard setback of 30 feet and a rear yard setback of 45 feet, both in lieu of the required 50 feet.
The Zoning Regulation to be excepted as follows:
Section 255-2 (243.2 & 3) - Area regulations
All that parcel of land in the Thirteenth District of Baltimore County
Beginning for the same at the intersection of the south right of way line of the Baltimore Harbor Tunnel Road with the west side of Annapolis Road (50 feet wide) and running thence, binding on said west side of Annapolis Road, south 05 degrees 30 minutes east 658.4 feet to the north side of a right of way, thence binding thereon, north 27 degrees 08 minutes 50 seconds west 49.11 feet to the northeast side of a right of way, 30 feet wide, thence binding thereon, north 45 degrees 54 minutes 40 seconds west 588.55 feet and north 60 degrees 41 minutes 17 seconds west 23.38 feet to intersect the north 06 degrees 30 minutes west 401.58 foot line of the land conveyed by Deed dated October 28, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3836, folio 627, from B & S Norton Company to The Martin White Company and running thence, binding on a part of said line, north 05 degrees 30 minutes west 36.92 feet to intersect the north 84 degrees 30 minutes east 30.00 foot line of the land conveyed by deed dated April 29, 1969 and recorded among the land records of Baltimore County in Liber OTG No. 4998 folio 184 from the Gemini Corp. to Smith, Inc. at its point of beginning thence leaving said point of beginning and running and binding the following four courses: 1) north 84 degrees 30 minutes east 30.00 feet 2) north 05 degrees 30 minutes west 271.00 feet 3) south 84 degrees 30 minutes west 30.00 feet 4) north 06 degrees 30 minutes west 27.54 feet to intersect the south right of way line of the Baltimore Harbor Tunnel Road, thence binding thereon, south 77 degrees 16 minutes east 441.59 feet to the place of beginning. Containing 8.32 acres of land, more or less.
Being the property of Misuri Associates, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, October 9, 1979 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of:
WILLIAM E. HAMMOND,
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Arb. Sept. 20 (977)



TOWSON, MD. 21204 September 20 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Misuri Associates was inserted in the following:

- ☐ Catonsville Times ☒ Arbutus Times
☐ Essex Times ☐ Community Times
☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 21st day of September 1979, that is to say, the same was inserted in the issues of September 20, 1979.

STROMBERG PUBLICATIONS, INC.

BY Esther Burger

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 13th Date of Posting SEPT. 22, 1979
Posted for: PETITION FOR VARIANCES
Petitioner: MISURI ASSOCIATES
Location of property: SW/C ANNAPOLIS RD AND BALTIMORE HARBOR TUNNEL ROAD
Location of Signs: ANNAPOLIS RD 100' +/- SW OF GRANITE ANNAPOLIS RD & BALTO HARBOR TUNNEL RD.
Remarks: Thomas E. Roland Date of return: SEPT. 24, 1979
Posted by Thomas E. Roland Signature
1-SIGN

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 7 day of Aug, 1979.*

Filing Fee \$ 25.00 Received: ✓ Check
✓ Cash
✓ Other

42

William E. Hammond, Zoning Commissioner

Petitioner Misuri Associates Submitted by J. L. De
Petitioner's Attorney Reviewed by CA

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Den'd										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>CA</u>										
Previous case:										
Revised Plans: Change in outline or description <u>Yes</u> Map # <u>No</u>										

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 83171

DATE September 11, 1979 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM: Misuri Associates

FOR: Filing Fee for Variance for Case No. 80-99-A

675250 11 25.00
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 83220

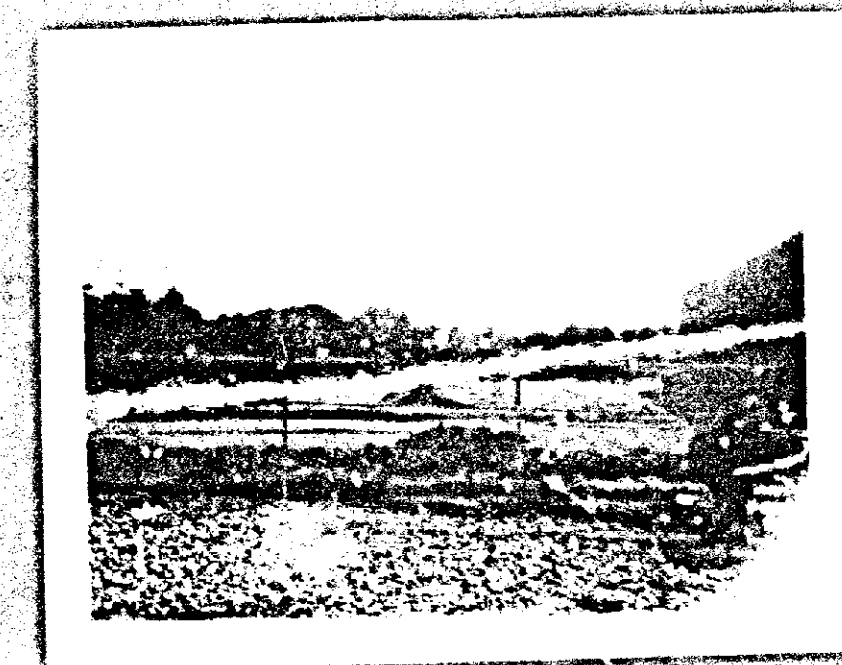
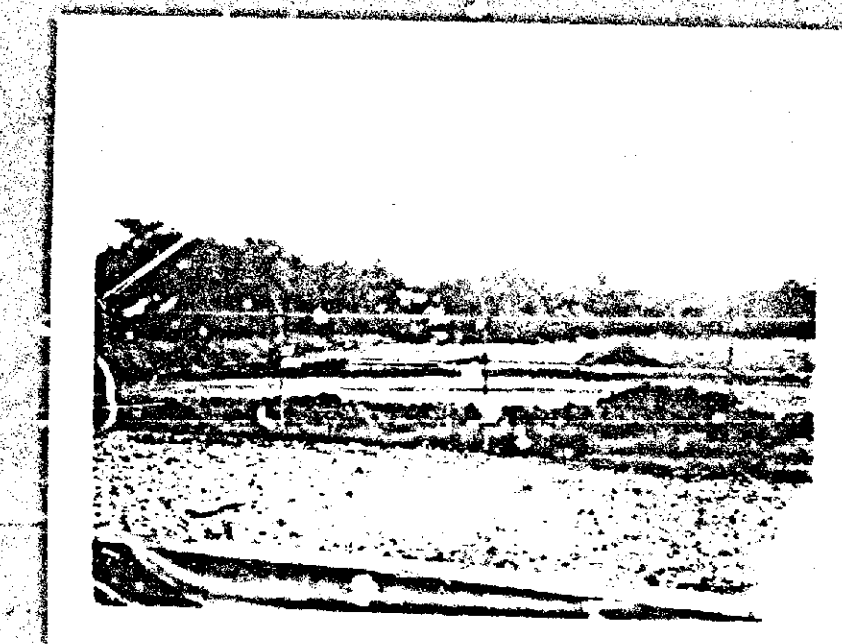
DATE October 5, 1979 ACCOUNT 01-662

AMOUNT \$64.99

RECEIVED FROM: Misuri Associates

FOR: Advertising and Posting for Case No. 80-99-A

8954001 5 64.99
VALIDATION OR SIGNATURE OF CASHIER

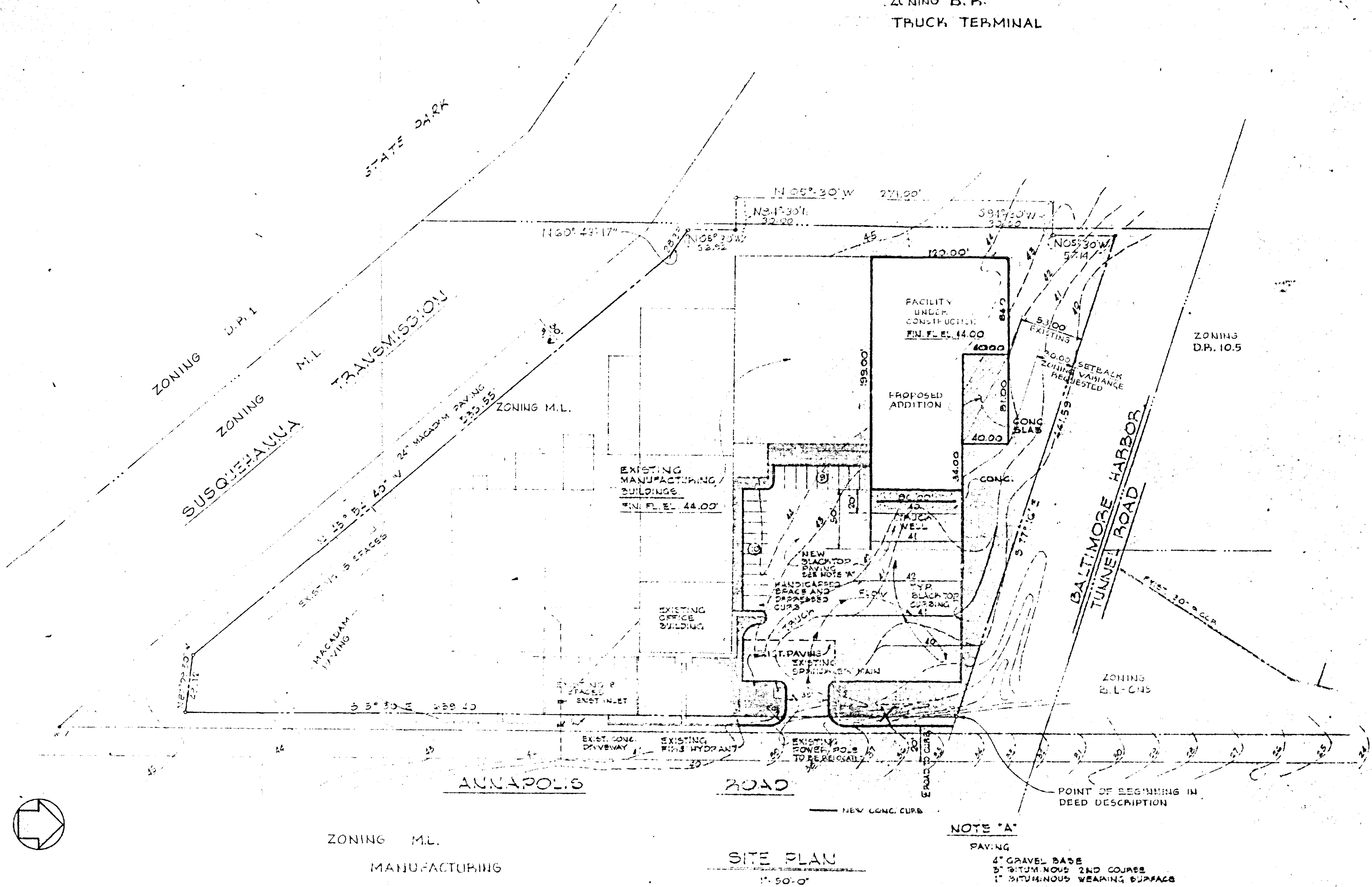




VICINITY MAP

1" = 200'

ZONING B.P.
TRUCK TERMINAL



ZONING M.L.
MANUFACTURING

SITE PLAN

1" = 50'-0"

NOTE "A"
PAVING
4" GRAVEL BASE
2" BITUMINOUS 2ND COURSE
1" BITUMINOUS WEARING SURFACE

UTILITIES

EXIST. 8" SEWER, 4" 12"
WATER MAIN IN ANNAPOLIS ROAD

NOTE:

LANDSCAPING IS EXISTING

PLOT PLAN TO ACCOMPANY REQUEST FOR ZONING VARIANCE

PROPERTY OWNED BY SUMICH CORP.-A LIMITED PARTNERSHIP
GENERAL PARTNER EMPLOYED TO ACT FOR CORP.-ARTHUR DELHEIA

PRECINCT 9
ELECTION DISTRICT 13
PARKING DATA

EXISTING:	OFFICE 3,400 ² /300 ² - 18 SPACES
	WAREHOUSE 11,600 ² PER EMP.
	50 EMPLOYEES/3 ¹ / ₂ SPACES
PROPOSED:	HANDICAPPED SPACE 1 SPACE
	STORAGE FACILITY
	NO ADDITIONAL EMP. 0
REQUIRED	31 SPACES
PROVIDED	43

PROPOSED FACILITY
FOR ADELL PLASTICS

CARROLL ENGINEERING INC.
1800 N. CHARLES ST. BALTIMORE, MD. 21201 / (301) 752-3155

SITE PLAN

AUG 1, 1979

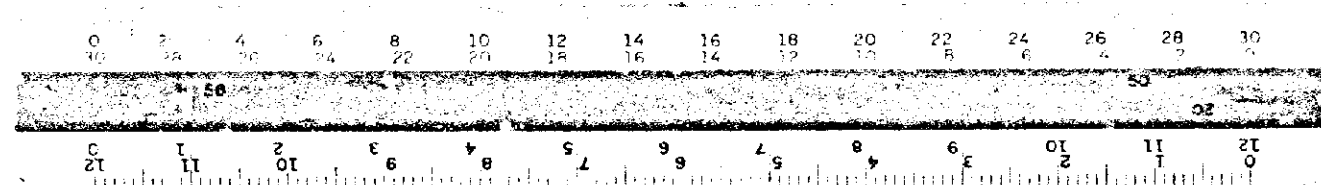
790321

WCO

AJC

1" = 50'

SP-1

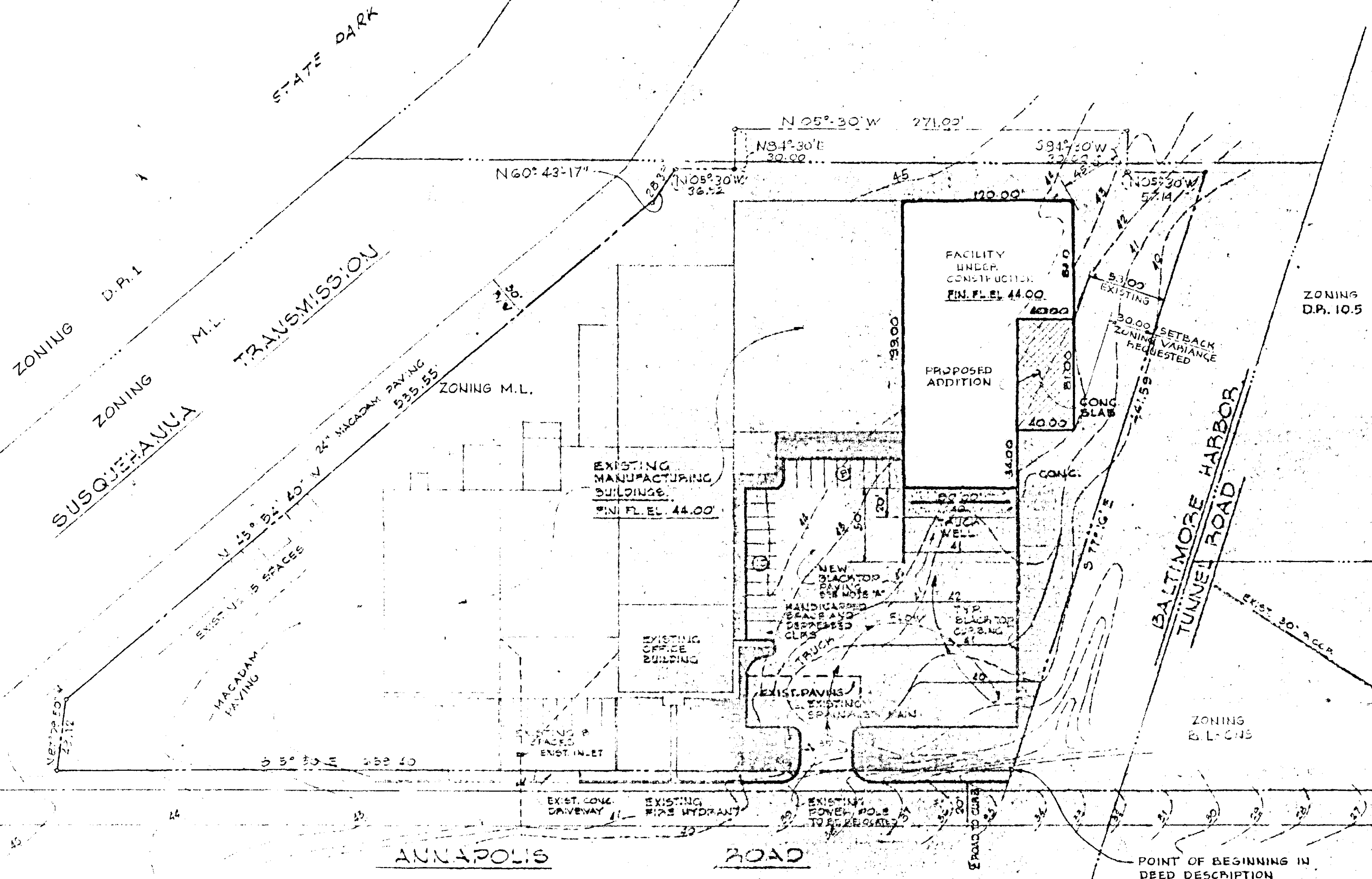




VICINITY MAP

1" = 400'

ZONING B.P.
TRUCK TERMINAL



ZONING M.L.
MANUFACTURING

SITE PLAN
1" = 50' 0"

UTILITIES

EXIST. 8" SEWER & 12" WATER MAIN IN ANNAPOLIS ROAD

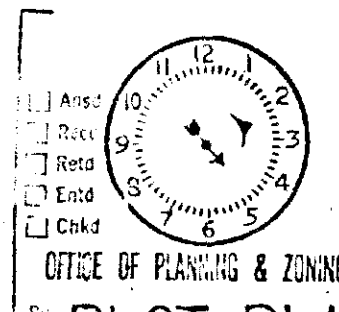
NOTE "A"

PAVING
4" GRAVEL BASE
3" BITUMINOUS SAND COURSE
1" BITUMINOUS WEARING SURFACE

NOTE:

LANDSCAPING IS EXISTING

OCT 8 1979 PM



PLOT PLAN

REVISED PLANS

TO ACCOMPANY REQUEST FOR ZONING VARIANCE

PROPERTY OWNED BY SUMICH CORP - A LIMITED PARTNERSHIP
GENERAL PARTNER EMPLOYED TO ACT FOR CORP - ARTHUR DELIBER

PRECINCT 9
ELECTION DISTRICT 13

PARKING DATA

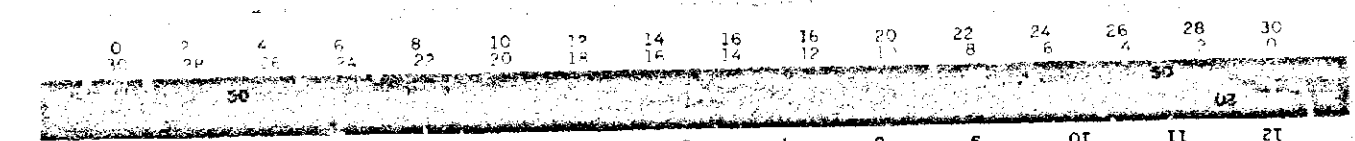
EXISTING:	
OFFICE	9,400/500 - 18 SPACES
WAREHOUSE	15,000/500 - 30 SPACES
50 EMPLOYEES/500 - 10 SPACES	
PROPOSED:	
HANDICAPPED SPACE	1 SPACE
STORAGE FACILITY	
NO ADDITIONAL EMP.	0
REQUIRED	15 SPACES
PROVIDED	48

PROPOSED FACILITY
FOR ADELL PLASTICS

CARROLL ENGINEERING INC.
1800 N. CHARLES ST. BALTIMORE, MD 21201 / (301) 752-3115

SITE PLAN

DATE	AUG 1, 1979	PROJECT	750321	DESIGNER	MCC	CHECKER	AJC	SCALE	1" = 50'	BY	SP-1
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PLANNING 40-103 34219